
HOW TO APPLY FOR A ZONING ADMINISTRATOR PERMIT

When is a Zoning Administrator Permit required?

Approval of a zoning administrator permit is required before certain uses may be established in the City. The list of uses requiring a zoning administrator permit varies by zoning district. Check with the Development and Environmental Services Department or refer to the zoning district regulations in the Zoning Ordinance to determine whether your project requires approval of a zoning administrator permit.

What is its purpose?

The purpose of a zoning administrator permit is to assure certain uses, as specified in the various zoning districts, are permitted where there is a community need, and the uses occur in maximum harmony with the area and in accordance with city policies and regulations. Conditions which are attached to permits to ensure harmony may include such things as limits on hours of operation or visual improvements.

What does it cost?

At the time of filing, an initial deposit of \$600 is required. The total cost of a zoning administrator permit will depend on the time required to process the application. Processing costs are billed on a time and material basis. Progress billings will be invoiced during the review of the project if charges exceed the minimum deposit. A refund will be issued at the completion of the project review if excess funds have been paid.

Who approves a Zoning Administrator Permit?

A zoning administrator permit is approved by the Zoning Administrator. Actions of the Zoning Administrator may be appealed within 10 days to the Planning Commission.

What are the steps?

1. Talk with a Development and Environmental Services Department staff member in the Development Services Center to determine which regulations apply to your proposed use.
2. Submit a completed application form, filing fee and required materials for review to the Development and Environmental Services Department's Development Services Center.

3. The Development and Environmental Services Department will review your application to ensure it contains sufficient information to process. Copies of your proposal will also be referred to other affected departments and other agencies for comment. Upon receipt of their responses, the project planner assigned to your project will contact you if additional information or revised plans are needed.
4. When your application is deemed complete, the project planner will prepare and forward an analysis and recommendation to the Zoning Administrator. If a public hearing before the Zoning Administrator is determined to be necessary you will be notified of the date of the hearing.
5. Upon receipt of staff analysis and recommendation, or after completion of the public hearing, the Zoning Administrator will prepare a letter regarding his/her decision on the application.

What materials do I submit?

See Zoning Administrator Information Sheet for a detailed list of materials and information which must be filed with your application.

How long does the process take?

Once the application is determined to be complete with all requested information submitted, the process takes approximately 30 days.

Proposals requiring an environmental impact assessment and draft negative declaration will take approximately 6 weeks for processing. (Estimated processing time **does not** include time needed by the applicant to revise and resubmit plans and studies.)

If an Environmental Impact Report (EIR) is required, the process will take considerably longer. A full EIR may take up to one year for processing. (For details about EIR requirements or other environmental concerns, see the Environmental Assessment Information Sheet.)

What is involved in a public hearing?

Ten days prior to the hearing, the applicant and all owners of property within 300 feet of the boundaries of the project will be notified. A hearing will be held before the Zoning Administrator to review the proposed use. At the hearing the Zoning Administrator will receive comments from the public regarding the proposal. After the public hearing portion of the meeting is concluded, the Zoning Administrator may conditionally approve the project, deny it, or continue the matter (with the applicant's consent).

When are hearings held?

The Zoning Administrator holds public hearings at times and dates which are acceptable to the applicant.

May a decision be appealed?

An applicant or anyone else who is dissatisfied with the decision of the Zoning Administrator may appeal the decision to the Planning Commission. To appeal, a written statement explaining one's objections must be filed with the Development and Environmental Services Department within 10 days after the decision has been made. A public hearing before the Planning Commission will be held in approximately 4 weeks.

What does an appeal cost?

The appeal fee of \$35 must be filed along with the written statement of objection(s) of the Zoning Administrator action. The cost of processing the appeal will be borne by the applicant for the project, whether or not the applicant filed the appeal.

Are there any other steps I must go through before I open my business?

1. If conditional approval is given by the Zoning Administrator, the project must be submitted to the Development Organization (D.O.) which is located at the Development Services Center for review. The Development Organization will review the project for compliance with the conditions as approved with the zoning administrator permit. Until all conditions are complied with and documented by the Development Organization as having been completed, the approval by the Zoning Administrator is considered to be tentative. Once the actual zoning administrator permit is issued by the Development Organization, the approval is considered to be activated.
2. The Development Organization (D.O.) provides a "one-stop" coordinated process for the review of projects and building plans which generally result in the issuance of a building permit. The Development Organization

consists of staff representatives from Planning, Building, Engineering, and Fire functions. The interdepartmental team reviews each project for compliance with the zoning ordinance, the General Plan, the State Building and Housing Codes, the Fire Code (including hazardous materials), landscape plans review, Fremont Municipal Code Compliance (such as subdivision grading, street right-of-way and improvement ordinances) and other compliance with established development policies.

3. In addition, any new business or relocated business must apply to the City of Fremont Revenue and Taxation Division for business tax clearance. This is a separate process and the Revenue and Taxation Division must be contacted directly regarding an application.

Can I get additional information?

If you need additional information or if you have questions, please call (510) 494-4456.